

Exhibit 2H:

(b)(3), (b)(6)

SWORN STATEMENT

For use of this form, see AR 190-45, the proponent agency is PMG

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301, Title 5, USC Section 2951, E.O. 9397 Social Security Number (SSN)

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1 LOCATION BAF, Afghanistan	2 DATE (YYYYMMDD) 20161220	3 TIME	4 FILE NUMBER
5 LAST NAME FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6 SSN N/A	7 GRADE/STATUS (b)(3), (b)(6)	Active Army
8 ORGANIZATION OR ADDRESS COR TF Tiger			
9			

I, (b)(6), (b)(3), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

Q. How long have you been the (b)(3), (b)(6) the (b)(3), (b)(6) contract for security of the ECPs on BAF? Are you the (b)(3), (b)(6) for all (b)(1).4 or only (b)(1).4a
 A. I have been the (b)(3), (b)(6) for two REED contracts since May 2016. I am the (b)(3), (b)(6) for the ASG Contract (b)(1).4a ASP, Nat Truck Yard; W91B4N-16-C-5010 and the Perimeter Towers Contract (W91B4N-16-C-5008). I am the overall (b)(3), (b)(6) all of those areas. I was previously assisted by (b)(3), (b)(6) and (b)(3), (b)(6) with observation of the ASP until the end of October, 2016.

Q. Is this your first time serving as (b)(3), (b)(6)

A. Yes.

Q. What training did you receive to prepare you for being (b)(3), (b)(6)? Do you believe the training was adequate?

A. I completed one of the DAU online classes before departing Fort Hood. I completed the remainder of the online training during the first week that I was on ground at BAF approximately 20-24MAY16. Additionally, I conducted in person (b)(3), (b)(6) Phase I training at the Contracting Office and Phase II COR Training with (b)(3), (b)(6) between the period of approximately 27-30MAY16.

Q. Who did you RIP in with?

A. (b)(6), (b)(3) . 317th Engineer Battalion from TF Buffalo. They had the same mission that we had. He was not Buffalo 4. We only had 2 days with their 4.

Q. Is being (b)(3), (b)(6) this contract an additional duty for you? If so, what other duties do you perform on this deployment?

A. Yes (b)(3), (b)(6) an additional duty. My primary duty is to serve as the (b)(3), (b)(6) . At the beginning of the deployment from 20MAY16 until o/a 15JUN16, I served as the (b)(6) and (b)(3), (b)(6) for the Task Force. The Task Force has approximately (b)(1).4 personnel including a (b)(1).4d (b)(1).4d USMC advisors to the (b)(1).4d a Route Clearance Company, 3 organic infantry companies, and the Task Force Headquarters.

10 EXHIBIT	11 INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(3)	PAGE 1 OF 8 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED

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STATEMENT OF (b)(3), (b)(6) TAKEN AT BAF / Afghanistan DATED 20 December 2016

9 STATEMENT *(Continued)*

The Task Force has a rolling stock comprised (b)(1)1 vehicles. When (b)(6), he assumed the maintenance officer duties. (b)(6) conducted the QA checks for both the ASG and Towers contracts. He would report to me and I would fill out the end of month reports and monthly audit forms. (b)(6) recently redeployed o/a 6DEC16 and I have the (b)(6). I will be conducting the QA checks and audits personally for the remainder of the deployment. Additionally, throughout the entire deployment, I have been charged with managing the S4 Shop in the rear.

~~1. FOUO~~Q. Does it make sense for you to be (b)(3), (b)(6)

A. No, it does not. I think it should be within the S3 shop. I told the incoming S-4 that the 3 shop needs to take it, he cannot do both.

~~2. FOUO~~Q. Do you have enough time to devote to being (b)(3), (b)(6) this contract?

A. No, I do not have enough time to complete (b)(3), (b)(6) requirements to the best of my abilities on my own. In addition to my assigned duties here in Afghanistan, I have been directed to continue to manage the S4 shop in the rear at FT Hood and have been counseled for failing to do so by (b)(3), (b)(6). I was required up until approximately November to manage the FLIPLs in the rear. I also was tasked with planning and tracking excess container turn-ins and to continue to rate and counsel the rear detachment (b)(6). I am aware of USFOR-A FRAGO 16-143 in that if someone is assigned as (b)(3), (b)(6) a contract or contracts with an aggregate of 25 or more armed personnel, then that person is not to be assigned any other duties that detract from their duties as (b)(3), (b)(6). informed my chain of command. (b)(3), (b)(6) Damasio, TF (b)(6), o/a July 2016 of this FRAGO. I was told that "we all need to wear multiple hats" in response to the presentation of this information. Upon learning (b)(3), (b)(6) was going to redeploy in DEC16, I asked for an assistant OIC to be assigned to the S4 shop so that I could fully devote my time (b)(3), (b)(6) following the 12NOV16 attack. I asked for assistance during the weekly Battle Update Brief (BUB) to the (b)(3), (b)(6) on 21NOV16 and again on 28NOV16. Additionally, on 4DEC16 during the Staff Synchronization meeting chaired by (b)(3), (b)(6) I again brought up my request for assistance and I told him that certain aspects of my duties (b)(3), (b)(6) (b)(3), (b)(6) will completely fail without assistance. I was told by (b)(3), (b)(6) that (b)(3), (b)(6) did not want to give me an assistant, so as not to detract from the abilities of any other shop/section and that I needed to exercise time management. (b)(3), (b)(6) did offer (b)(3), (b)(6) to assist me in conducting maintenance duties and said (b)(3), (b)(6) (b)(3), (b)(6) could assist me (b)(3), (b)(6) by conducting surveillance during his regular BAF battlefield circulation.

~~3. FOUO~~Q. Describe your responsibility in completing monthly (b)(3), (b)(6) surveillance reports. What issues have you noted of concern for this contract? What actions have you taken on those issues?

A. Primarily, from August through November 2016, I completed all of the audit/surveillance reports based on the input provided from (b)(3), (b)(6). (b)(3), (b)(6) never reported any glaring discrepancies in the administration of the contracts. During the times that I physically conducted surveillance without assistance (June 2016), no major issues were discovered. Administrative files were in order, guards had the required arming authorization letters and the contracts were being administered in accordance with the SOWs. For maintenance issues that were brought to my attention, either (b)(3), (b)(6) or (b)(3), (b)(6) initiated the required work orders with ASG or DPW.

Q. Has the REED (b)(6) ((b)(3), (b)(6)) provided his quarterly reports to you?

INITIALS OF PERSON MAKING STATEMENT

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BAF / Afghanistan

DATED 20 December 2016

9 STATEMENT (Continued)

Did you see his 30 September 2016 quarterly report? If so, what force protection/security concerns and issues has he identified at ECP1? What actions were taken to address those issues?

A. Yes. (b)(3), (b)(6) is timely in the submission of his required reports. I received the quarterly report drafted by (b)(3), (b)(6) (b)(6), (b)(3) in an email sent to the (b)(3), (b)(6). (b)(3), (b)(6) by (b)(3), (b)(6) from REED Inc. I was cc'd on the email. I do not recall reading this report in its entirety and never went back to read it completely. Looking at it today, I see that (b)(3), (b)(6) wrote the following: "There are Local National Supervisors at the specific posts overseeing the searching procedures that are done by Local National Guards on Local National workers coming onto Bagram. This practice might be a security risk." (b)(3), (b)(6) said that following this report, he ensured that an OCN (b)(1).4a supervisor was present in order to ensure that the LNs coming on to the base were searched properly. No action was taken on my part due to the fact that I became aware of this concern during today's meeting (12DEC16).

~~(b)(1)(c)~~ Q. Did you include force protection/security concerns and issues in your monthly surveillance Reports? If so, which ones? If not, why not?

A. No, I did not include any force protection/ security concerns in the monthly surveillance reports. I felt that the issues that came up were being addressed in due course through the cross-talk and coordination conducted during the Bi-weekly Inside the Wire (ITW) Force Protection meetings. These meetings occur on (b)(1).4a at the

(b)(1).4a Prior to the RIP of the (b)(1).4a, the meeting was chaired by (b)(3), (b)(6) (b)(1).4a and it is currently chaired by (b)(3), (b)(6). Both REED (b)(6) attend, as well as the Marine (b)(6) (b)(3), (b)(6) and (b)(3), (b)(6) (b)(3), (b)(6) also attend as much as they are available (b)(3), (b)(6) (b)(3), (b)(6) also chairs the TF Line of Effort (LOE) 1: "Protect the Force" meeting as the TF Force Protection Lead. This meeting takes place on (b)(1).4a and began approximately 7OCT16. These meetings are attended by the same personnel minus all of the Marine (b)(6), REED (b)(6), and all enablers. Force protection concerns and projects are discussed and tracked in these meetings.

~~(b)(1)(c)~~ Q. In REED's 30 September 2016 quarterly report, they identified a number of shortfalls in the (b)(1).4a layout and uptake (lack of electricity, LN supervisors, maintenance of generators and flood lights). Where any actions taken based on those identified deficiencies?

A. No action was taken as a result of the report. From information obtained in the ITW meetings from the REED (b)(6) (b)(6) work orders were either opened by the Marine (b)(6) or (b)(3), (b)(6) for many of the maintenance issues. The force protection issues were also addressed through discussion and decisions to change/modify the (b)(1).4a add force protection measures, i.e. sand bags, c-wire, t-walls, implementation and integration of the MARVIN system, implementation of speed bumps, drop gates/arms, and potential contract modifications. The potential contract modifications were not discussed with the REED (b)(6). Following procedure, I submitted memorandums for record to modify the contracts as the RA, to the KO. We increased the number of guards to support additional and unmanned towers that the Marines identified as vulnerabilities.

~~(b)(1)(c)~~ Q. Was June 2016 the last time the REED Base Defense Plan was revised? (Procedures) What were the major changes in this current version from the previous version?

A. I am unaware of any changes to the REED Base Defense Plan. I know that (b)(1).4a was supposed to publish a Base Defense SOP following the Base Defense Exercise scheduled for September 2016. The Base Defense exercise was not conducted and the new SOP was never published.

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(b)(3), (b)(6)

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STATEMENT OF (b)(3), (b)(6) TAKEN AT BAF / Afghanistan DATED 20 December 2016

9 STATEMENT *(Continued)*

Q. How many times has the entry process been changed since REED was first awarded the security contract? (Procedures) What drove those changes...did REED identify problem areas and security issues that drove changes or were the changes driven from the Government?

A. I am not aware of any changes to the entry procedures prior to the most recent re-design of the (b)(1).4a by the over the horizon engineers. This design was the brainchild of the former A/B COC (b)(3), (b)(6). The design was approved by MG Bannister in early September 2016, but progress was halted by (b)(1).4a for reasons unbeknownst to me. The change was driven by the Government as a solution to a vulnerability. (b)(3), (b)(6) pitched the plan and his ideas for the design to (b)(3), (b)(6) (b)(6), but as previously stated, I do not know what halted the progress.

Q. How is the REED Base Defense Plan integrated into the force protection mandate on BAF? (Procedures)

A. REED takes direction from (b)(1).4a is the RA. I receive guidance from the Command Team, which I pass to the Site Manager to execute within the confines of the contract. If I have questions, I ask the KO, before I tell the KTR to do anything. In daily functions and common sense employment of personnel at the (b)(1).4a the KTR takes direction from the Marine COCs.

(b)(1).4a

Q. Are you tracking the REED Contract expansion?

A. Yes, I wrote the modification for the expansion. There will be (b)(1).4d added to the contract, a couple of operations officers, and we are waiting for Reed to come back to us with a pricing estimate now. I normally only interact with the guards during checks. On 18 Dec 1(b)(1).46 them began protesting while at their guard mount formation and refused to mount. As I was leaving the site, I received a call from (b)(3), (b)(6) telling me that the protesting group had left the Reed AO and were towards (b)(1).4a along the road. I drove to their area and spoke with them. The Guards voiced their discontent to me and gave me a hand-written note addressed to the (b)(6) They also presented me with paperwork from the (b)(1).4d stating that they were listed as migrant workers working in Iraq. This raised a potential trafficking issue. I spoke with (b)(3), (b)(6) ((b)(6)) to see if it needed investigated. We will provide the guards with resources before they depart so that they are aware of their rights.

Q. How is your relationship with ASG?

A. I have never talked to them (b)(6), (b)(3) is the one that primarily deals with them.

Q. Are there any issues between the three (or more?) layers of security covering the +/- 5 guard checkpoints as far as procedures or responsibility crossing lanes?

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(b)(3), (b)(6)

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9 STATEMENT (Continued)

A. Not that I am aware of.

[REDACTED]
[REDACTED]
[REDACTED]

(b)(1)1.4a

[REDACTED]
[REDACTED]
[REDACTED]

(b)(1)1.4a

[REDACTED] Q. REED guards conduct inspections of hand carried items at the (b)(1)1.4a sites along (b)(1)1.4a
[REDACTED] - what do these inspections consist of? (Doctrine)

A. Yes, I remember the (b)(1)1.4a being used at the outermost check at the traffic circle and in the first baggage and clothing search following the initial check. The guards are directed to search all pockets, garments, hats, and bags, as well as any other items that are carried in on the person entering BAF. The guards use a (b)(1)1.4a using their hands to search clothing and other items in the areas where there are no pockets or visible compartments.

[REDACTED] Q. Do REED guards get training for the searching and screening of hand carried items? (Training) How current is that training in order to recognize bomb materials and devices?

A. Yes, I am aware that they receive training, but I have not witnessed the training. I have watched the search processes on more than one occasion. The training is relevant to finding and recognizing bomb making materials, i.e. wires, batteries, etc. The training does not include any information on how to detect HME.

[REDACTED] Q. How often does the training occur and who conducts the training? (Training)

A. The (b)(1)1.4d conduct the training with the guards through the use of an interpreter. It happens each day throughout the week in order to reach all personnel on the 3 shifts and those who have their day off.

[REDACTED] Q. Were the (b)(1)1.4a being used prior to 12 November? If so, how many checkpoints were using them? If not, why not?

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(b)(3), (b)(6)

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STATEMENT OF (b)(6), (b)(3) TAKEN AT BAF / Afghanistan DATED 20 December 2016

9 STATEMENT *(Continued)*

A. Yes, I remember the (b)(1).4 being used at the outermost check at the traffic circle and in the first baggage and clothing search following the initial check.

Q. Are there any external policies, procedures, or resource, doctrine, or training shortcomings that need to be addressed immediately to improve security on BAF?

A. With the increase in manpower for the Perimeter Towers Contract (W91B4N- 16-C-5008) it is advisable for tenant units to each contribute a minimum of one person to serve as a COR in areas where their unit conducts their assigned tasks. Please see the attached slide for reference to the units and proposed COR areas of responsibility. With the contract modification, the number of contractors between the two REED contracts will increase to over (b)(1).4 personnel. This is much too large for one person to adequately handle. There should be multiple CORs that report to a Super COR, who is overall responsible for the REED PSC contracts on BAF. Work orders for force protection projects/needs, must be given top priority and should be initiated within 24 hours of receipt by the agency receiving the work orders. Many times DPW and ASG respond slowly or not at all to work order requests. Simple requests for increased force protection (electricity, air conditioners for the guard shacks/towers, wiring installation, etc.) take weeks or even months to complete. A decision needs to be made as soon as possible regarding the LN guard force. If they will be barred from BAF, then the process to replace them with OCNs will need to start immediately. Since the new screening and badging policy has been instituted on 7DEC16, the ASG contract has lost (b)(1)1 personnel (b)(1)1 personnel in December alone. For more than half of these personnel, they were dismissed because of (b)(1).4a. It is going to become increasingly difficult to replace the LN personnel that are relieved with qualified personnel from the local area in order to maintain manning requirements on the contract.

Q. What action have you taken since the 12 NOV 16 incident to change how the REED contract is serviced?

A. I re-wrote the statement of work and performed an analysis to increase the number of OCN guards (b)(1).4 on the Perimeter Towers contract. With the new personnel, they will be able to maintain static site security at all government facilities, DFACs, MWRs, laundry, etc. Additionally there will be an armed force to serve as vehicle and LN work detail escorts. There is also a surge capability that can be used to surge to certain areas on BAF to disrupt potential nefarious activity and increase their security presence. The surge capability will be able to respond to an incident and secure the scene fully within 90 minutes. This modification should be sent to REED for pricing within this week according to the new KO. (b)(3), (b)(6) The JRRB was completed via desk side brief to MG Thomson and was completed in a 24 -hour period.

Q. What other information do you think is pertinent to share with respect to the REED contract and base security?

A. Until this attack occurred, force protection and security considerations were not taken seriously. LNs were allowed to roam the FOB unescorted and people both did not have the knowledge of what to do should they encounter an un-badged or unescorted LN on the FOB, or they were complacent and felt there was no threat. It is my feeling that this complacency came from the top-down and the focus for the mission was diminished to the point where the Task Force leadership did not feel that our primary role was base security/force protection, but rather the main effort consisted of Outside the Wire Patrols (OTW), Tactical Advise and Assist (TAA) at the MPG, and Commander's Emergency Relief Program (CERP) projects.

(b)(1).4a

This operation was led by (b)(3), (b)(6)

and observed by (b)(3), (b)(6), the ASG (b)(3), (b)(6). It was lauded as a very successful operation and it stands as the

INITIALS OF PERSON MAKING STATEMENT

(b)(3), (b)(6)

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STATEMENT OF _____	TAKEN AT <u>BAF / Afghanistan</u>	DATED <u>20 December 2016</u>
<p><u>9 STATEMENT</u> <i>(Continued)</i></p> <p>example for the current BAF clearance operations. Following this operation, the Task Force Tiger leadership admonished (b)(3), (b)(6) for leading this operation and began to tell staff members to distance themselves from him. Following the 12NOV16 attack, the first BAF clearance missions since "Operation Lightning" began taking place.</p> <p><u>Q</u> How does the "Inside the wire" meetings tie in to everything Tiger does?</p> <p>A. For work orders, such as (b)(1)1.4a Afghan REED guards there, moved the conex buildings there and they do not have heater/AC unit in there. They just have a wood burner. We have brought that up since I got here and there is not a priority to get that. The comfort piece is not taken seriously. If the structure is on density, then ASG should be taking care of it. At the inside the wire meeting, I am generally the highest ranking person that is there. If we brought up many of those issues since the meetings started. The biggest pieces can be handled at our level.</p> <p>(b)(1)1.4a</p> <p><u>Q</u> Do you have any recommendations?</p> <p>(b)(5), (b)(3), (b)(6)</p> <p><u>Q</u></p> <p>(b)(5)</p> <p><u>Q</u></p> <p>(b)(5), (b)(1)1.4a</p> <p><u>Q</u> Who submits the work orders?</p> <p>A. I have never submitted the work orders myself. It goes from the (b)(3), (b)(6) to (b)(3), (b)(6) who then will send them up directly to DPW. They do not go through the 3 or the (b)(3), (b)(6)</p>		
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STATEMENT OF _____ TAKEN AT BAF / Afghanistan DATED 20 December 2016

9 STATEMENT *(Continued)*

(b)(1)1.4a, (b)(3), (b)(6)

waiting the final timeline.

||||||END OF STATEMENT||||||

(b)(3), (b)(6)

AFFIDAVIT

I, (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 8. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAD A COPY MADE OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR REWARD, WITHOUT

(b)(3), (b)(6) NT

(Signature of Person Taking Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 20th day of December 2016
at Bagram Air Field, Afghanistan

(Signature of Person Administering Oath)

MG THOMAS S. JAMES JR.

(Typed Name of Person Administering Oath)

Article 136(B)(4), U.C.M.J

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b)(3), (b)(6)

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